

Office Action Summary	Application No. 10/511,539	Applicant(s) NAKANISHI, MASAHIRO	
	Examiner MICHELLE K. LAY	Art Unit 2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007 and 16 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Final office action, filed 27 September 2007, is withdrawn per interview summary made by Examiner Almis Jankus with Catherine Voisinnet on 23 November 2007. Below is a new office action as requested.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the decision descriptions in Fig. 2, i.e., which branch is for when *complexity < upper limit* and *complexity > upper limit* as described in the specification on page 7, lines 21-28. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If

the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Robotham et al. (6,704,024 B2) in view of Arai et al. (6,456,286 B1).

Robotham teaches the limitations of claims 1-17 with the exception of explicitly teaching a complexity calculating means. However, Arai teaches calculating an optimum number of polygons based on the size of a three-dimensional character.

In regards to claims **1** and **11**, Robotham teaches a remote browser for displaying Web pages, e-mail, electronic documents and forms, drawings, presentations, and images at the client device (said ***plurality of objects***) [abstract]. With reference to Fig. 12, the method/system of Robotham a correspondence map is separated into multiple segments based on defined sections of the mapped content and/or multiple resolution levels. By segmenting into multiple resolution levels, a lower resolution map is created and is then augmented by segments that provide additional resolution levels.

Subsequent segments of the map can be transmitted later, or not transmitted at all, based on the relative priority of each segment (said **priority**) [c.63 L.7-16]. An overview representation (122) of a web page is shown in Fig. 14A. The user can select a region of interest via a bounding box [Fig. 14B]. The user can be in graphics mode ("G") which comprises both graphics and text [Fig. 14C]. The user can also switch to "text" mode ("T"), resulting in only the text [Fig. 14E] (said **suppressing display**) [c.67 L.10-30].

Arai teaches a polygon rendering method/system that detects the rendering capability of the equipment used so as to calculate the total number of polygons (N_{ap}) that can be allocated in one frame [abstract]. The system of Arai comprises a polygon rendering capability detecting part (10) (said **complexity calculating means**) that detects the polygon rendering capability of the equipment used by the user and detects the number of polygons (N_{ap}) that can be processed [c.8 L.30-36, 44-49]. The system further comprises a polygon number adjusting part (40) (said **control means for suppressing**) that reduces or adjusts the number of polygons (N_{po}) of the three-dimensional character to be rendered to the optimum number (said **upper limit**) of polygons (N_p) calculated by the optimum polygon number calculating part (30) [c.8 L.30-37; c.9 L.30-34].

It is implicit that the web pages, e-mail, electronic documents and forms, drawings, presentations, and images at the client device of Robotham are comprised of polygons. Therefore, it would have been obvious to one of ordinary skill in the art to modify the method/system of Robotham to use the polygon rendering capability

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detecting part (10) in conjunction with the polygon number adjusting part (40) as taught by Arai to automatically determine the best viewing and rendering mode (i.e., “G” or “T” mode) of the client device. It is possible to save the rendering cost effectively by changing the number of polygons as appropriate [Arai: c.5 L.55-57].

In regards to claims **2** and **12**, Robotham teaches displaying web pages, e-mail, electronic documents and forms, drawings, presentations, and images at the client device (said ***plurality of objects***) [abstract]. Although Robotham fails to explicitly teach animation, it would have been obvious to one of ordinary skill in the art that presentations and web pages may comprise animated display.

Furthermore, Arai teaches the total number of polygons that can be handled in one frame is calculated based on the graphic processing capability of a three-dimensional polygon display environment actually used by the user, and the total number of polygons to be allocated to the entire screen if the three-dimensional polygon display is adjusted dynamically so as to correspond to the calculated number of polygons [c.5 L.22-30]. The system of Arai comprises a polygon rendering capability detecting part (10) (said ***complexity calculating means***) that detects the polygon rendering capability of the equipment used by the user and detects the number of polygons (N_{ap}) that can be processed [c.8 L.30-36, 44-49]. The system further comprises a polygon number adjusting part (40) (said ***control means for suppressing***) that reduces or adjusts the number of polygons (N_{po}) of the three-dimensional character to be rendered to the

optimum number (said **upper limit**) of polygons (N_p) calculated by the optimum polygon number calculating part (30) [c.8 L.30-37; c.9 L.30-34].

The same motivation for combination as applied to claim 1 is incorporated herein.

In regards to claims **3** and **13**, claims 3 and 13 recites the same limitations as claim 1.

Therefore, the same rationale used for claim 1 is applied.

In regards to claims **4** and **14**, claims 4 and 14 recites the same limitations as claims 2 and 3. Therefore, the same rationale used for claims 2 and 3 is applied.

In regards to claims **5** and **15**, claims 5 and 15 recites the same limitations as claim 2.

Therefore, the same rationale used for claim 2 is applied.

In regards to claim **6**, claim 6 recites the same limitations as claim 1. Therefore, the same rationale used for claim 1 is applied. Furthermore, the system of Robotham comprises memory storing executable computer program instructions [c.8 L.7-9].

In regards to claim **7**, claim 7 recites the same limitations as claims 2 and 6. Therefore, the same rationale used for claims 2 and 6 is applied.

In regards to claim **8**, claim 8 recites the same limitations as claim 3. Therefore, the same rationale used for claim 3 is applied. Furthermore, the system of Robotham comprises memory storing executable computer program instructions [c.8 L.7-9].

In regards to claim **9**, claim 9 recites the same limitations as claims 4 and 8. Therefore, the same rationale used for claims 4 and 8 is applied.

In regards to claim **10**, claim 10 recites the same limitations as claim 5. Therefore, the same rationale used for claim 5 is applied. Therefore, the same rationale used for claim 3 is applied. Furthermore, the system of Robotham comprises memory storing executable computer program instructions [c.8 L.7-9].

In regards to claim 16, the system of Robotham comprises memory storing executable computer program instructions [c.8 L.7-9]. It would have been obvious to one of ordinary skill in the art that the memory storing the executable computer program instructions of Robotham can take make forms of memory [c.7 L.60-c.8 L.8], such as a computer readable recording medium.

In regards to claim **17**, the method/system of Robotham comprises a server (22) comprising an I/O device, such as a modem, an Ethernet adapter, or network interface card, also in communication with the bus, provides for the server's (22) exchange of

information with other external devices, such as client (24) [c.7 L.56-60]. The representative client (24) [Fig. 1], includes display (5). The client components are also in communication with one another through a local communications bus. The browser of the client device controls the content presented on the client viewport (16) of the display (5). With the client connected as an Internet node, the browser enables specified documents to be located, fetched from a server and displayed [c.8 L.22-52].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle K. Lay whose telephone number is (571) 272-7661. The examiner can normally be reached on Monday-Friday 7:30a-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee M. Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michelle K. Lay/
Examiner, Art Unit 2628
11 August 2008

/Kee M Tung/
Supervisory Patent Examiner, Art
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